

# House File 516

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## AN ACT

RELATING TO COMPOSITION AND RESPONSIBILITIES OF THE IOWA  
COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 424.19 FUTURE REPEAL.

This chapter is repealed effective June 30, 2014.

Sec. 2. Section 455G.4, subsection 1, Code 2003, is

amended by adding the following new paragraph after paragraph

d:

NEW PARAGRAPH. dd. Two owners or operators appointed by  
the governor. One of the owners or operators appointed  
pursuant to this paragraph shall have been a petroleum systems  
insured through the underground storage tank insurance fund or  
a successor to the underground storage tank insurance fund and  
shall have been an insured through the insurance account of  
the comprehensive petroleum underground storage tank fund on  
or before October 26, 1990. One of the owners or operators  
appointed pursuant to this paragraph shall be self-insured.

Sec. 3. Section 455G.4, subsection 1, unnumbered paragraph  
2, Code 2003, is amended to read as follows:

A public member appointed pursuant to paragraph "d" shall  
not have a conflict of interest. For purposes of this section  
a "conflict of interest" means an affiliation, within the  
twelve months before the member's appointment, with the  
regulated tank community, or with a person or property and  
casualty insurer offering competitive insurance or other means  
of financial assurance or which previously offered  
environmental hazard insurance for a member of the regulated  
tank community.

Sec. 4. Section 455G.4, Code 2003, is amended by adding  
the following new subsection:

NEW SUBSECTION. 6. REPORTING. Beginning July 2003, the  
board shall submit a written report quarterly to the  
legislative council, the chairperson and ranking member of the  
committee on natural resources and environment in the senate,  
and the chairperson and ranking member of the committee on  
environmental protection in the house of representatives  
regarding changes in the status of the program including, but  
not limited to, the number of open claims by claim type; the  
number of new claims submitted and the eligibility status of  
each claim; a summary of the risk classification of open  
claims; the status of all claims at high-risk sites including  
the number of corrective action design reports submitted,  
approved, and implemented during the reporting period; total  
moneys reserved on open claims and total moneys paid on open  
claims; and a summary of budgets approved and invoices paid  
for high risk site activities including a breakdown by  
corrective action design report, construction and equipment,  
implementation, operation and maintenance, monitoring, over  
excavation, free product recovery, site reclassification,  
reporting and other expenses, or a similar breakdown. In each  
report submitted by the board, the board shall include an  
estimated timeline to complete corrective action at all  
currently eligible high-risk sites where a corrective action  
design report has been submitted by a claimant and approved  
during the reporting period. The timeline shall include the  
projected year when a no further action designation will be  
obtained based upon the corrective action activities approved  
or anticipated at each claimant site. The timeline shall be  
broken down in annual increments with the number or percentage  
of sites projected to be completed for each time period. The  
report shall identify and report steps taken to expedite  
corrective action and eliminate the state's liability for open  
claims.

Sec. 5. Section 455G.6, Code 2003, is amended by adding  
the following new subsection:

NEW SUBSECTION. 17. The board may adopt rules pursuant to  
chapter 17A providing for the transfer of all or a portion of  
the liabilities of the board under this chapter.  
Notwithstanding other provisions to the contrary, the board,  
upon such transfer, shall not maintain any duty to reimburse

3 6 claimants under this chapter for those liabilities  
3 7 transferred.

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3 11 \_\_\_\_\_  
3 12 CHRISTOPHER C. RANTS  
3 13 Speaker of the House

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3 17 MARY E. KRAMER  
3 18 President of the Senate

3 19 I hereby certify that this bill originated in the House and  
3 20 is known as House File 516, Eightieth General Assembly.

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3 24 \_\_\_\_\_  
3 25 MARGARET THOMSON  
3 26 Chief Clerk of the House

3 27 Approved \_\_\_\_\_, 2003

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3 30 \_\_\_\_\_  
3 31 THOMAS J. VILSACK

3 31 Governor